

441—30.5 (217,218,225C) Rights of individuals.

30.5(1) Information. An individual receiving care from a state resource center shall have the right to:

- a. Receive an explanation and written copy of the rules of the facility.
- b. Receive an explanation of the individual's medical condition, developmental status, and behavioral status, and be informed as to treatment plans and the attendant risks of treatment.

30.5(2) Care and treatment. An individual receiving care from a state resource center shall have the right to:

- a. Receive appropriate treatment, services, and habilitation for the individual's disabilities, including appropriate and sufficient medical and dental care.
- b. Have the confidentiality of the individual's personal resource center records maintained and have access to those records within a reasonable period.
- c. Work, when available and desired and as appropriate to the individual's plan of treatment, and be compensated for that work in accordance with federal and state laws.

30.5(3) Living conditions. An individual receiving care from a state resource center shall have the right to:

- a. Receive care in a manner that respects and maintains the individual's dignity and individuality.
- b. Have opportunities for personal privacy, including during the care of personal needs.
- c. Keep and use appropriate personal possessions, including wearing the individual's own clothing.
- d. Share a room with a spouse when both live in the same facility.
- e. Be free from unnecessary drugs and restraints.
- f. Be free from physical, psychological, sexual, or verbal abuse, neglect and exploitation.

30.5(4) Communication. An individual receiving care from a state resource center shall have the right to:

- a. Communicate with people and access services at the facility and in the community, including organizing and participating in resident groups while at the facility.
- b. Receive visits of the individual's choice from parents, guardians, legal representatives, or family without prior notice given to the facility unless the visits have been determined inappropriate by the individual's treatment team.
- c. Communicate and meet privately with persons of the individual's choice without prior notice given to the facility unless the communication is determined inappropriate by the individual's treatment team.
- d. Send and receive unopened mail.
- e. Make and receive private telephone calls, unless the calls have been determined inappropriate by the individual's treatment team.

30.5(5) Self-determination. An individual receiving care from a state resource center shall have the right to:

- a. Have a dignified existence with self-determination, making choices about aspects of the individual's life that are significant to the individual.
- b. Give informed consent, including the right to withdraw consent at any given time.
- c. Refuse treatment (such as medication or behavioral interventions) offered without the individual's expressed informed consent, and be provided with an explanation of the consequences of those refusals unless treatment is necessary to protect the health or safety of the individual or is ordered by a court.
- d. Refuse to perform services for the facility and not be coerced to perform services.
- e. Manage the individual's own financial affairs unless doing so is limited under law or determined not appropriate by the individual's treatment team.
- f. Choose activities, schedules, and care consistent with the individual's interests, needs and care plans.
- g. Engage in social, religious, and community activities of the individual's choice.

30.5(6) Advocacy. An individual receiving care from a state resource center shall have the right to:

- a.* Exercise the individual's rights as a citizen or resident of the United States.
- b.* File a grievance pursuant to rule 441—28.4(225C,229) without any intimidation or reprisal resulting from the grievance.

This rule is intended to implement Iowa Code sections 217.30, 218.4, 225C.28A, and 225C.28B.

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